

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Amit P. Acharya : Date: October 22, 2003

Serial Number: N/A : Group Art Unit: N/A

Filed: Herewith : Examiner: Unknown

Title: Method, System and Program : IBM CORPORATION  
Product for Analyzing a Scalability of an : IP Law - Dept. T81/Bldg. 503  
Application Server : 3039 Cornwallis Road  
: Research Triangle Park, NC 27709

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**INFORMATION DISCLOSURE STATEMENT (IDS) UNDER 37 CFR 1.97**

**Commissioner For Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Dear Sir:

The attached Form PTO-1449, and any attached foreign patent office search report, provides a listing of information which may be relevant to the subject application. This IDS is not intended as a representation that better art is not available, nor that the information provided is prior art.

This IDS is submitted under:

X  37 CFR 1.97(b) - No Fee.

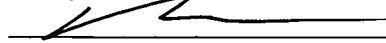
37 CFR 1.97(c) - No Fee. Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application. This communication is dated \_\_\_\_\_, which is not more than 3 months prior to the mailing of this statement.

37 CFR 1.97(c) - Fee.

37 CFR 1.97(d) - Fee, Certification & Petition.

The Commissioner is authorized to charge payments of any associated fees required under 37 CFR 1.17(p) and (i) (1) to Deposit Account No. 09-0461 (IBM).

Respectfully submitted,

By:   
Ronald A. D'Alessandro  
Registration No. 42,456  
Telephone No.: (518) 449-0044

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
 Applicant's unique citation designation number (optional). Search Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.  
<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.  
**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

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